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OCT 05 2005

**OFFICE OF PETITIONS**

In re Application of :  
Nida Abdul-Ghani Nassief :  
Application No. 09/944,564 : DECISION GRANTING PETITION  
Filed: September 4, 2001 : UNDER 37 CFR 1.137(b)  
For: ASTHMA/ALLERGY THERAPY THAT :  
TARGETS T-LYMPHOCYTES AND/OR  
EOSINOPHILS

This is a decision on the petition under 37 CFR 1.137(b), filed August 24, 2005, to revive the above-identified application.

The petition is **GRANTED**.

This application became abandoned for failure to reply to the Office action (restriction requirement), mailed May 12, 2004, which set a one month period for reply. No extensions of time having been timely obtained pursuant to the provisions of 37 CFR 1.136(a) and no timely reply having been filed, this application became abandoned at midnight on June 14, 2004 (June 12, 2004, the due date, is a Saturday).

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of an election (filed on August 4, 2004); (2) the petition fee of \$750; and (3) the required statement of unintentional delay have been received. Accordingly, the reply to the Office action of May 12, 2004 is accepted as having been unintentionally delayed.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3218.

This matter is being referred to Technology Center AU 1623 for appropriate action on the reply received August 4, 2004.

*Frances Hicks*  
Frances Hicks  
Petitions Examiner  
Office of Petitions